

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
LEVI M. ROYAL,
Defendant

NO. CR18-306 RAJ

**ORDER DISMISSING
THE INDICTMENT
WITHOUT PREJUDICE**

LEVI M. ROYAL,

Defendant:

THIS MATTER has come before the Court on the Government's Unopposed Motion to Dismiss the Indictment Without Prejudice. The Court having considered the Motion and records in this case finds compelling reasons to grant the government's request for leave to dismiss without prejudice. Those reasons include the Defendant's present ability to access the State of Washington mental health evaluation and competency determination process, thereby mitigating the risks associated with continued delays in accessing the federal mental health restoration process. In addition, the Court having been advised by the parties of the following affirmative representations, finds due consideration has been given to keeping the government advised of the Defendant's progress with any State mandated mental health processes, thereby facilitating notice to

Pj. 80/CRA

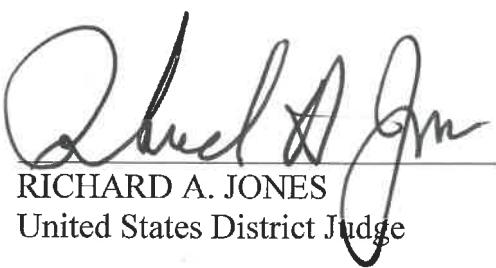
"Defendant's counsel
hereinafter refers to
Defendant's federal
public defender."

1 affected parties upon Defendant's release to the community:

- 2 1. Defendant's counsel will undertake reasonable steps to insure Defendant is
3 immediately detained following dismissal of the Indictment pending his transport to a medical facility consistent with the State of Washington civil commitment
4 process;
- 5 2. Defendant's counsel will routinely monitor Defendant's progress throughout the
6 civil commitment process and provide the government with status updates,
7 including the timing and outcome of hearings, and any potential release plans;
- 8 3. Defendant's counsel shall notify the government immediately upon learning that
9 Defendant has been released to the community;
- 10 4. Defendant's counsel will maintain contact with Defendant's family for purposes of
11 monitoring Defendant's progress throughout the civil commitment process and
12 provide the government with status updates;
- 13 5. To the extent practicable, and should the Defendant's treatment progress to
14 imminent release to the community, Defendant's counsel will not support
15 Defendant's immediate placement into an independent living scenario as an
16 alternative to placement with family members.

17 IT IS HEREBY ORDERED that the government's unopposed motion to dismiss
18 the Indictment without prejudice solely for reasons related to Defendant's mental
19 condition is GRANTED.

20 Dated this 24th day of April 2019.



RICHARD A. JONES
United States District Judge

21 Presented by:

22 _____
23 /s/ James D. Oesterle
24 JAMES D. OESTERLE
25 Assistant United States Attorney

26 Order of Dismissal Without Prejudice - 2
27 United States v. Royal, CR18-306 RAJ

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